

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** Chair Mark Noland, on March 28, 2017 at 8:30 A.M., in Room 172 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Mark Noland, Chair (R)  
Rep. Amanda Curtis, Vice Chair (D)  
Rep. Vince Ricci, Vice Chair (R)  
Rep. Fred Anderson (R)  
Rep. Willis Curdy (D)  
Rep. Ross H. Fitzgerald (R)  
Rep. Moffie Funk (D)  
Rep. Bruce Grubbs (R)  
Rep. Denley M. Loge (R)  
Rep. Andrea Olsen (D)  
Rep. Casey Schreiner (D)  
Rep. Sharon Stewart-Peregoy (D)  
Rep. Jeremy Trebas (R)  
Rep. Sue Vinton (R)  
Rep. Daniel Zolnikov (R)

**Members Excused:** Rep. Steve Gunderson (R)  
Rep. Gordon Pierson Jr (D)  
Rep. Adam Rosendale (R)  
Rep. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Karen Armstrong, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 653, 3/22/2017; HB 657, 3/22/2017; HJ 26, 3/22/2017  
Executive Action: HB 570, HB 582, SB 44

**HEARING ON HB 653**

**Opening Statement by Sponsor:**

00:02:26 Rep. Matt Regier (R), HD 4, opened the hearing on HB 653, Revise laws relating to service of process with the commissioner of insurance.

**Proponents' Testimony:**

00:04:14 Brett Olin, Office of the State Auditor (OSA)

00:05:14 Jennifer Hensley, Pacific Source Health Plans

**Opponents' Testimony:**

00:06:18 Al Smith, Montana Trial Lawyers Association (MTLA)

[EXHIBIT\(buh64a01\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:13:55 Rep. Vinton

00:15:40 Brett Olin, OSA

00:16:30 Rep. Curdy

00:17:37 Brett Olin, OSA

00:18:47 Rep. Olsen

00:20:02 Brett Olin, OSA

00:21:46 Rep. Olsen

00:22:39 Al Smith, MTLA

**Closing by Sponsor:**

00:23:18 Rep. Regier

**HEARING ON HB 657**

**Opening Statement by Sponsor:**

00:24:12 Rep. Shane Morigeau (D), HD 95, opened the hearing on HB 657, Phase out use of styrofoam in food-related businesses.

**Proponents' Testimony:**

00:37:50 Tucker Finley, Montana Public Interest Research Group

00:41:33 Amy Seaman, Montana Audubon

[EXHIBIT\(buh64a02\)](#)

[EXHIBIT\(buh64a03\)](#)

00:48:21 Rep. Rosendale joined the meeting.

00:47:24 Nadine Nadow, Montana Environmental Information Center

**Opponents' Testimony:**

00:48:54 Brad Griffin, Montana Retail Association (MRA), Montana Restaurant Association (MTRA)

**Informational Testimony:**

00:52:23 Jenny Chambers, Montana Department of Environmental Quality (DEQ)

**Questions from Committee Members and Responses:**

00:52:53 Rep. Ricci  
 00:55:45 Rep. Morigeau  
 00:56:29 Rep. Vinton  
 00:57:09 Rep. Morigeau  
 00:57:52 Rep. Loge  
 01:00:49 Rep. Morigeau  
 01:00:57 Chair Noland left the meeting, Vice Chair Ricci assumed the chair.  
 01:01:27 Rep. Zolnikov  
 01:02:16 Amy Seaman, Montana Audubon  
 01:03:25 Rep. Zolnikov  
 01:03:32 Rep. Morigeau  
 01:05:01 Rep. Stewart-Peregoy  
 01:06:01 Rep. Morigeau  
 01:06:06 Rep. Curdy  
 01:08:05 Jenny Chambers, DEQ  
 01:05:38 Rep. Noland joined the meeting and resumed the chair.

**Closing by Sponsor:**

01:08:48 Rep. Morigeau

**HEARING ON HJ 26****Opening Statement by Sponsor:**

01:15:45 Rep. Mary Ann Dunwell (D), HD 84, opened the hearing on HJ 26, Study living wage in Montana.

**Proponents' Testimony:**

01:20:40 Chris Cavazos, Montana AFL-CIO  
 01:21:26 John Ilgenfritz, Self

**Opponents' Testimony:**

01:24:05 Brad Griffin, Montana Retail Association (MRA), Montana Restaurant Association (MTRA), Montana Chamber of Commerce (MCC)

**Informational Testimony:**

01:25:18 Barbara Wagner, Department of Labor and Industry (DLI)

**Questions from Committee Members and Responses:**

01:25:45 Rep. Funk  
 01:26:46 Brad Griffin, MRA, MTRA, MCC  
 01:26:59 Rep. Loge  
 01:27:35 Rep. Dunwell  
 01:27:58 Rep. Loge  
 01:28:02 Rep. Olsen  
 01:30:26 Brad Griffin, MRA, MTRA, MCC  
 01:31:06 Rep. Ricci  
 01:31:29 Rep. Dunwell  
 01:31:40 Barbara Wagner, DLI  
 01:32:00 Rep. Ricci

01:32:26 Rep. Dunwell  
01:32:40 Rep. Curtis  
01:33:34 Brad Griffin, MRA, MTRA, MCC  
01:34:07 Rep. Trebas  
01:34:46 Rep. Dunwell

**Closing by Sponsor:**

01:35:49 Rep. Dunwell  
  
01:38:05 Chair Noland  
01:40:38 Pat Murdo, Legislative Services Division (LSD)  
01:44:50 Rep. Funk  
01:45:20 Rep. Rosendale  
01:45:42 Rep. Ricci  
01:46:08 Rep. Funk  
01:46:16 Rep. Pierson joined the meeting.  
  
01:46:20 Recessed.  
02:16:38 Reconvened with Rep. Windy Boy and Rep. Gunderson excused.

**EXECUTIVE ACTION ON HB 582**

02:17:01 **Motion:** Rep. Ricci moved that **HB 582 DO PASS.**

02:17:18 **Motion:** Rep. Ricci moved that **HB 582 BE AMENDED**  
**EXHIBIT(buh64a04)**

**Discussion:**

02:17:45 Pat Murdo, LSD  
02:18:318 Rep. Stewart Peregoy  
02:18:51 Chair Noland  
02:19:49 Pat Murdo, LSD  
02:20:06 Rep. Olsen  
02:20:23 Chair Noland  
02:21:11 Rep. Olsen  
02:21:38 Rep. Funk  
02:22:29 Chair Noland  
02:22:34 Rep. Loge  
02:22:58 Rep. Curtis  
02:23:07 Rep. Olsen  
  
02:24:11 **Vote:** Motion carried 10-9 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Grubbs, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no. Rep. Gunderson and Rep. Windy Boy voted by proxy.  
  
02:25:44 **Motion:** Rep. Ricci moved that **HB 582 DO PASS AS AMENDED.**  
  
02:25:11 Without objection, Rep. Ricci withdrew the **DO PASS AS AMENDED** motion.

02:25:52 Pat Murdo, LSD

02:26:44 Chair Noland

02:29:10 **Motion:** Rep. Ricci moved that **HB 582 BE AMENDED.**

[EXHIBIT\(buh64a05\)](#)

**Discussion:**

02:29:29 Rep. Funk

02:30:10 Pat Murdo, LSD

02:30:39 **Vote:** Motion carried 15-4 by roll call vote with Rep. Schreiner, Rep. Stewart-Peregoy, Rep. Windy Boy and Rep. Zolnikov voting no. Rep. Gunderson and Rep. Windy Boy voted by proxy.

02:31:46 **Motion:** Rep. Ricci moved that **HB 582 DO PASS AS AMENDED.**

**Discussion:**

02:31:55 Rep. Curtis

02:32:54 Rep. Funk

02:33:49 Chair Noland

02:34:06 **Vote:** Motion failed 2-17 by roll call vote with Rep. Trebas and Rep. Zolnikov voting aye. Rep. Gunderson and Rep. Windy Boy voted by proxy.

02:35:28 **Motion/Vote:** Rep. Ricci moved that **HB 582 BE TABLED.** Motion carried unanimously by voice vote. Rep. Gunderson and Rep. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON SB 44**

02:36:49 **Motion:** Rep. Ricci moved that **SB 44 BE CONCURRED IN.**

02:37:02 **Motion:** Rep. Ricci moved that **SB 44 BE AMENDED.**

[EXHIBIT\(buh64a06\)](#)

**Discussion:**

02:38:01 Rep. Ricci

02:38:07 **Vote:** Motion carried unanimously by voice vote. Rep. Gunderson and Rep. Windy Boy voted by proxy.

02:38:32 **Motion:** Rep. Ricci moved that **SB 44 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:38:55 Rep. Olsen

02:41:10 Rep. Loge

02:41:21 Rep. Ricci

02:41:46 Chair Noland

02:42:19 **Vote:** Motion carried 18-1 by voice vote with Rep. Rosendale voting no. Rep. Gunderson and Rep. Windy Boy voted by proxy. Rep. Ricci will carry the bill.

**EXECUTIVE ACTION ON HB 570**

02:43:51 **Motion:** Rep. Ricci moved that **HB 570 DO PASS.**

02:44:13 **Motion:** Rep. Curdy moved that **HB 570 BE AMENDED.**  
**EXHIBIT(buh64a07)**

**Discussion:**

02:45:25 Rep. Curdy  
02:46:06 Pat Murdo, LSD

02:46:44 **Vote:** Motion carried unanimously by voice vote. Rep. Gunderson and Rep. Windy Boy voted by proxy.

02:47:12 **Motion:** Rep. Ricci moved that **HB 570 BE AMENDED.**  
**EXHIBIT(buh64a08)**

**Discussion:**

02:47:34 Rep. Curdy  
02:51:05 Rep. Curtis  
02:53:15 Rep. Stewart-Peregoy

02:54:48 **Vote:** Motion failed 9-10 by roll call vote with Rep. Fitzgerald, Rep. Gunderson, Rep. Loge, Rep. Noland, Rep. Ricci, Rep. Rosendale, Rep. Trebas, Rep. Vinton and Rep. Zolnikov voting aye. Rep. Gunderson and Rep. Windy Boy voted by proxy.

02:56:09 **Motion:** Rep. Ricci moved that **HB 570 DO PASS AS AMENDED.**

**Discussion:**

02:56:51 Rep. Grubbs  
02:57:07 Rep. Curdy  
03:01:42 Rep. Vinton  
03:03:47 Rep. Olsen  
03:06:05 Rep. Loge  
03:06:29 Rep. Funk  
03:08:03 Chair Noland  
03:10:09 Rep. Curtis

03:11:40 **Vote:** Motion failed 9-10 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy, Rep. Trebas and Rep. Windy Boy voting aye. Rep. Gunderson and Rep. Windy Boy voted by proxy.

03:12:57     **Motion/Vote:** Rep. Ricci moved that **HB 570 BE TABLED**. Motion carried 12-7 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no. Rep. Gunderson and Rep. Windy Boy voted by proxy.

03:13:1 4     Chair Noland

**ADJOURNMENT**

Adjournment: 03:14:20

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT**([buh64aad.pdf](#))